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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

**Civil Revision No. 4431 of 2007**

**Date of decision: 30.8.2007**

**Subhash Chand** **...Petitioner**

**Versus**

**Smt. Kamla Devi** **...Respondent**

**CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL**

Present: Mr. Shalender Mohan, Advocate for the petitioner.

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**RAJESH BINDAL, J.**

Challenge in the present petition, filed under Article 227 of the Constitution of India, is to order dated July 16, 2007 passed by learned Rent Controller, Hansi closing the evidence of the petitioner/tenant by order of the Court.

The crux of the order is that three opportunities having been granted to the petitioner-tenant for leading evidence, no further opportunity could be afforded.

Learned counsel for the petitioner submitted that due to unavoidable circumstances, he was unable to lead his evidence, which he shall lead if one opportunity is granted as in the absence of evidence injustice will be caused to the petitioner.

In view of the above, I do not deem it appropriate to issue notice to the respondent as the same will unnecessarily further delay the disposal of the present petition as well as the rent petition pending before the trial Court. The only prayer made is for grant of one opportunity for completion of evidence, which is proper for the adjudication of the matter in dispute. As stated, the next date of hearing in the rent petition is fixed as September 8, 2007.

Accordingly, present petition is allowed and in the interest of

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justice, I deem it appropriate to grant another opportunity to the petitioner to complete his entire evidence on the date already fixed by the Rent Controller i.e. September 8, 2007 subject to payment of Rs. 500/- as costs to be paid to the respondent. The petitioner will be at liberty to take help of the Court to summon the witnesses. However, it is made clear that no further opportunity shall be granted to the petitioner in case he fails to complete his entire evidence on the date fixed.

The petition is disposed of in the manner as indicated above.

**August 30, 2007** **(Rajesh Bindal)**
**Pka** **Judge**